

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAHBU BEHLIN,

Plaintiff,

- against -

RITE AID PHARMACY STORE, VICTOR GONZALEZ,
MALCIAL TUERO, DAMION BROWN,
GARFIELD MEAD, AND VICTOR REYES
INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES,

Defendants.
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Civil Action No.: 1:18-cv-04335-KPF

**SUGGESTION OF
BANKRUPTCY FOR RITE AID
CORPORATION AND CERTAIN
OF ITS AFFILIATES AND
NOTICE OF AUTOMATIC STAY
OF PROCEEDINGS**

PLEASE TAKE NOTICE that, on October 15, 2023, Rite Aid Corporation and certain of its affiliates (each, a “Debtor” and, collectively, the “Debtors”)¹ filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101—1532 (the “Bankruptcy Code”), in the United States Bankruptcy Court for the District of New Jersey (the “Bankruptcy Court”). A copy of the voluntary petition of the lead Debtor, Rite Aid Corporation (Case No. 3:23-bk-18993), is attached hereto as **Exhibit A**.

PLEASE TAKE FURTHER NOTICE that each of the Debtor’s chapter 11 cases (collectively, the “Chapter 11 Cases”) is pending before the Honorable Michael B. Kaplan.

PLEASE TAKE FURTHER NOTICE that, pursuant to section 362(a) of the Bankruptcy Code, the Debtors’ filing of their respective voluntary petitions operates as a stay of:

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the

¹ The last four digits of Debtor Rite Aid Corporation’s tax identification number are 4034. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/RiteAid>. The location of Debtor Rite Aid Corporation’s principal place of business and the Debtors’ service address in these chapter 11 cases is 1200 Intrepid Avenue, 2nd Floor, Philadelphia, Pennsylvania 19112.

debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title; (2) the enforcement, against the debtor or against property of the estate, of a judgment obtained before the commencement of the case under this title; [and] (3) any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate. . . .

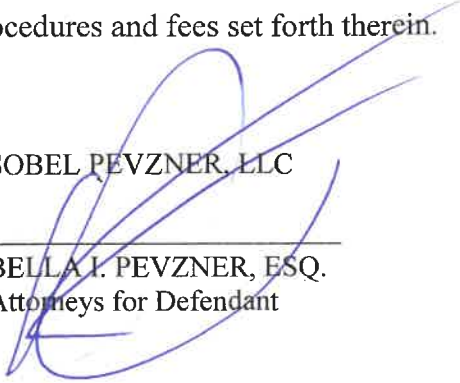
11 U.S.C. § 362(a)(1)–(3).² No order has been sought or entered in the Chapter 11 Cases granting any relief to any party from the automatic stay.

PLEASE TAKE FURTHER NOTICE that any action taken against the Debtors without obtaining from the Bankruptcy Court relief from the automatic stay may be void *ab initio* and result in a finding of contempt for violation of the automatic stay. Any party wishing to take action against the Debtors should contact the Debtors' counsel (shayne.henry@kirkland.com) before taking any action in the above-captioned proceeding to ensure that such action does not constitute a violation of the automatic stay. The Debtors reserve and retain all rights to seek relief in the Bankruptcy Court from any judgment, order, or ruling entered in violation of the automatic stay.

PLEASE TAKE FURTHER NOTICE that additional information regarding the Chapter 11 Cases may be obtained free of charge by visiting the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/RiteAid>. You may also obtain copies of any pleadings by visiting the Court's website at <https://ecf.njb.uscourts.gov/> (PACER login and password required) in accordance with the procedures and fees set forth therein.

Dated: New York, New York
October 19, 2023

SOBEL PEVZNER, LLC

By: 
BELLA I. PEVZNER, ESQ.
Attorneys for Defendant

² Nothing herein shall constitute a waiver of the Debtors' rights to assert any claims, counterclaims, defenses, rights of setoff or recoupment, or any other claims against any party to the above-captioned case.

CERTIFICATE OF SERVICE

I, BELLA I. PEVZNER, certify that on the 19th day of October, 2023, I caused to be served, via overnight mail a true and correct copy of the foregoing *Suggestion of Bankruptcy for Rite Aid Corporation and Certain of its Affiliates and Notice of Automatic Stay of Proceedings*, on the parties listed below.

Dated: October 19, 2023

SOBEL PEVZNER, LLC

By:

BELLA I. PEVZNER, ESQ.

Attorneys for Defendant

RITE AID PHARMACY STORE

30 Vesey Street, 8th Floor

New York, New York 10007

(212) 216-0020

Parties receiving service:

Mercedes Taitt-Harmon
WEIL, GOTSHAL & MANGES LLP
Attorneys for Plaintiff
RAHBU BEHLIN
767 5th Avenue
New York, New York 10153
(212) 310-8000

In light of Defendant Rite Aid Pharmacy Store's Suggestion of Bankruptcy (Dkt. #160), this case is hereby STAYED as to Defendant Rite Aid Pharmacy Store. In their status update due **November 6, 2023**, the parties are directed to explain the effect of these insolvency proceedings on Defendants Jermaine Williams and Felix Luna, and to set out their positions as to whether this case should also be stayed as to those individuals.

The Clerk of Court is directed to terminate the pending motion at docket number 160.

SO ORDERED.

Dated: October 24, 2023
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE